REMARKS

In the Office Action dated April 23, 2004, the Examiner rejected claims 1-7, 11-18, 22-29, 33 and 34. With this Amendment, claims 1, 5, 6, 11, 16, 17, 22, 27, 28, 33 and 34 are amended and claims 10, 21 and 32 are canceled without prejudice.

On page 3 of the Office Action, the Examiner pointed out that Applicant's Amendment filed on February 9, 2004, erroneously stated that said amendment was submitted "in response to the *final* Office Action mailed on December 19, 2004." Applicant acknowledges that this statement was made in error and that the Office Action mailed on December 19 was a non-final Office Action.

The Examiner rejected claims 1-7, 11-18, 22-29, 33 and 34 under 35 U.S.C. 102(e) as being anticipated by Rabenko et al. (US 20010033583 A1). Claims 1, 11, 22 and 33 are amended herewith to refer to a "tone detector for detecting a tone in a communication signal" rather than simply a "detector." Applicant submits that Rabenko does not teach indicating to a tone detector whether the NLP is active or inactive, and, if the NLP is active, disabling a processing step of the tone detector. Therefore, Applicant submits that claims 1, 11, 22 and 33 as amended, and all claims depending therefrom, are not anticipated by Rabenko.

Claim 34 is directed to a method of processing communication signals in a communication system having a non-linear processor (NLP) and a plurality of detectors for detecting a parameter of a communication signal, and comprises indicating to the plurality of detectors whether the NLP is active or inactive, and, if the NLP is active, causing the plurality of detectors to enter an inactive state. On page 5 of the Office Action, the Examiner argues that "claim 34 is also essentially similar to claim 1, except for a plurality of detectors. These detectors are shown in Fig. 30." Applicant submits that while Fig. 30 may show a plurality of detectors, it does not show the NLP indicating to the *plurality* of detectors whether the NLP is active or inactive, and further does not show causing the *plurality* of detectors to enter an inactive state if the NLP is active. Therefore, Applicant submits that claim 34 is not anticipated by Rabenko.
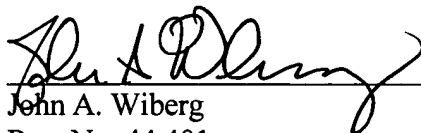
Claim 1 is amended herewith to change the clause "communicating to the tone detector whether the NLP is active or inactive" to "indicating to the tone detector whether the NLP is active or inactive." Claim 34 is amended to change the clause "communicating to the plurality of detectors whether the NLP is active or inactive" to "indicating to the plurality of detectors whether the NLP is active or inactive." Applicant submits that these changes do not alter the substance of the claims but make more clear what is being claimed.

In view of the foregoing, Applicant respectfully requests reconsideration and allowance of claims 1-9, 11-20, 22-31, 33 and 34.

The Commissioner is hereby authorized to charge any additional required fees, or credit any overypayment, by this submission to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: <u>October 21, 2004</u>

Respectfully submitted,

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